

From: Chris Mayhall
To: Microsoft ATR
Date: 1/25/02 12:26pm
Subject: Microsoft Settlement - AOL Private Suit

The last thing our country and economy needs right now is yet another frivolous lawsuit that will surely do further damage to nearly everyone's retirement portfolio (particularly in light of recent events with Enron Corporation). Please dismiss the recent lawsuit file by AOL Time Warner against Microsoft Corporation, and ask that AOL Time Warner compete with technology instead of litigation.

Three important points should be noted regarding AOL Time Warner:

1. AOL purchased Netscape for \$10 billion dollars in the midst of the DoJ trial, even after hearing concrete evidence that IE's success in the market was based on merit, not market share.
2. Microsoft has tried to with AOL in a variety of areas, including improvement of instant messaging interoperability and getting fair and open access to AOL's dominant cable assets.
3. AOL has repeatedly rebuffed Microsoft's efforts, to the detriment of consumers and the technology industry, and has turned to politics and litigation instead.

As a small-business entrepreneur, I view the relationship between Microsoft's Internet Browser (IE) and AOL's browser (Netscape Navigator) as a straight-forward, very tough, competition between two companies operating in a free-market arena. Nothing more.

AOL Time Warner needs to step up to the plate, quit whining (or rather, attempting to derail Microsoft and as a side-effect derail our economy via litigation), and come out with a superior browser and method for interacting with the internet. AOL Time Warner certainly has the financial assets to compete, and no doubt has technology and personnel to compete, AND has massive leverage in the form of its cable rights and media content (via Time Warner assets).

Do I file a lawsuit when my competition across town comes up with a better service? Hell no, I work longer hours, invest in newer technology, and get my &%%\$ in gear or else I'm out of a job and the vision that is my company goes down the tubes.

Sincerely,

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